## Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2016 Regular Session

## **Part I: Measure Information**

Bill Request #: 1610					
Bill #: HB 428 HCS					
Bill Subject/Title: An ACT relating to cruelty to animals.					
Sponsor: Rep. Wilson Stone					
Unit of Government:    x City x County x Urban-County   x Charter County x Consolidated Local x Government					
Office(s) Impacted: law enforcement offices, jailers					
Requirement:x Mandatory Optional					
Effect on Powers & Duties:x _ Modifies Existingx _ Adds New Eliminates Existing					
Part II: Purpose and Mechanics					

HB 428 HCS retains the original provisions of HB 428. HB 428 HCS adds a definition of "dog fighting." It also specifically exempts hunting dogs from the provisions of the bill.

HB 428 HCS makes it a Class D felony in the first degree to knowingly own, possess, keep, breed, train, sell or otherwise transfer a canine for the purpose of that canine or its offspring being used to fight for pleasure or profit. Activities of animals engaged in guarding livestock are exempt from the provisions of this bill.

## Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

## The fiscal impact is indeterminable and minimal.

Adding the above described statutory provision to the definition and penalty for cruelty to animals in the first degree will result in some new investigations and arrests for this new felony crime. Time and effort relating to law enforcement, arrests, prosecutions and incarcerations is indeterminable but should be minimal. The impact on jails and jailers will be minimal and would be as follows:

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 78 full service jails or five life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.92 per day. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$31.92 per day to house a D felon. Since the per diem pays for the estimated average cost of housing a Class D felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s	/ <del></del>	Kentucky Department of Corrections, Kentucky Association; Kentucky Jailers Association; Kentucky Sherit			•	
Prenarer: H		Reviewer			3/10/16	